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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,487	08/26/2005	Wolfgang Clemens	411000-124	3650
27162 7590 01/04/2008 CARELLA, BYRNE, BAIN, GILFILLAN, CECCHI, STEWART & OLSTEIN 5 BECKER FARM ROAD ROSELAND, NJ 07068			EXAMINER WERT, JOSHUA P	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 01/04/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,487

Applicant(s)

CLEMENS ET AL.

Examiner

Josh Wert

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-9 and 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9 and 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/24/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Examiner acknowledges the amendments to claims filed on 10/25/07 including the cancellation of claims 5 and 10, the addition of claims 16-20 and the amendment of claims 1-4, 6-9 and 11-15.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-9 and 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al., U.S. Patent 6,877,096 in view of Fraunhofer Magazin 4, 2001, further in view of Berndts et al., US 2004/0026690 (Berndts).

3. Regarding claims 1, 2, 6, 16 Chung et al. disclose an electronic device (Figure 1) comprising; a main module (100 and 135) and at least one sub-module (120) electrically connectable to the main module (Col. 4, lines 8-9) which in co-operation with an electric circuit in the main module (Figure 2; 205) enables execution of a function of a game specific for the sub-module (Col. 1, lines 53-54). Chung et al. do not disclose the circuits being organic. Fraunhofer Magazin 4, 2001, pages 8 through 13 teaches the use of organic circuits in place of conventional circuits to inexpensively mass-produce electronic components. It would have been obvious at the time the invention was made

to modify Chung et al.'s discs to contain organic circuits as taught by Fraunhofer Magazin 4, 2001 in order to inexpensively mass-produce the discs.

4. Additionally, Chung et al. disclose a switch-off arrangement which detects and monitors the use of the sub-module and prevents the use after a pre-determined extent of use (Col. 6, lines 1-13) which can be located on either the main module or the sub-module. Chung et al. does not disclose the permanent alteration or destruction of the circuit, merely that the sub-module is prevented from further use. Bernds teaches the use of organic circuits, specifically memory devices, in which after use the circuit is permanently altered or destroyed (Paragraphs 0015-0034). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device disclosed by Chung et al. and modified by Fraunhofer Magazin 4, 2001 to permanently alter or destroy the organic circuitry as taught by Bernds to insure that the sub-module was only usable once.

5. Regarding claims 3, 4, 17 and 18, Chung et al. disclose multiple sub-modules being selected from a plurality of different types of sub-modules in the form of plastic cards (Figure 1; 120's) having respectively different circuits (Col. 5, lines 2-3), wherein predetermined combinations of sub-modules enables specific performance in the game (Col. 1, lines 55-57).

6. Regarding claim 7, Chung et al. disclose a processor (320) in the sub-module that can enable the specific function in the main module (Col. 5, lines 59-64).

7. Regarding claims 8 and 11-12, Chung et al. disclose an additional logic in the sub-module that permits the execution of the function (Col. 6, lines 17-23).

8. Regarding claims 9 and 13-15, Chung et al. disclose a display on the sub-modules that show information about their function (Col. 1, lines 57-60; Col. 4, lines 25-27; 258).
9. Regarding claims 19 and 20, Chung et al. disclose the predetermined condition being the time of use and occurrence of a particular function (Col. 6, lines 1-13).

Response to Arguments

10. Applicant's arguments with respect to claims 1-4, 6-9 and 11-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Josh Wert whose telephone number is 571-270-1894. The examiner can normally be reached on Monday - Thursday 7:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/31/07
JPW



XUAN M. THAI
SUPERVISORY PATENT EXAMINER